

Notice of Allowability

Application No.

10/829,525

Examiner

Robert A. Hopkins

Applicant(s)

BROWNELL ET AL.

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6-29-05.
2. ☒ The allowed claim(s) is/are 7-9, 13, 27, 32, 33, 38, 39, 48, 49, and 57-60 (renumbered 1-15 respectively).
3. ☒ The drawings filed on 22 April 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 6-20-05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claim 33, change the dependancy from "claim 31" to --claim 32--.

Allowable Subject Matter

Claims 7-9,13,27,32,33,38,39,48,49, and 57-60 are allowed.

The following is an examiner's statement of reasons for allowance:

Claims 7 and 32 recite "wherein the filtration member is formed from a ceramic". Giles , Sr et al(4854949) and Bernstein et al(6235090) teaches an air purification system for mounting within a hood, the system including a first baffle filter and a second porous filtration chamber containing porous filtration members downstream of the first filter, wherein the airflow defines a substantially straight path between the first and second filters, however Bernstein et al and Giles, Sr et al both use charcoal as the porous filtration member instead of ceramic. French reference(2700712) teaches a single ceramic foam filter mounted within a hood, however French reference does not teach a first filter together with the ceramic filter, and also the filter is foam, and is not a porous filtration chamber containing at least one ceramic filtration member. Also, It

Art Unit: 1724

would not have been obvious to substitute ceramic for the charcoal of Bernstein et al and Giles Sr et al because removing the charcoal for remove the odor removal properties of the filtration device. Claims 8 and 9 depend on claim 7 and hence are also allowed. Claim 33 depends on claim 32 and hence is also allowed.

Claims 13 and 27 recite "wherein the first filter is a centrifugal air filter presenting a plurality of baffle plates" None of the references of record teach a first filter which is a centrifugal air filter presenting a plurality of baffle plates.

Claims 38 and 48 recite "wherein the first filter is a centrifugal air filter". None of the references of record teach a first filter which is a centrifugal air filter. Claim 39 depends on claim 38 and hence is also allowed.

Claim 49 recites "wherein the first filter presents baffle plates extending into a path through which the intake air flows as it passes through the first filter". Bernstein et al teaches a first filter presenting baffle plates extending into a path through which the intake air flows as it passes through the first filter, however the second filter is a filtration chamber of charcoal and not of silica, ceramic, diatomaceous earth, and zeolite. Also, the airflow from the charcoal filter does not flow directly to the exhaust outlet as required by claim 49. Feisthammel et al (6833022) teaches a first filter presents baffle plates extending into a path through which the intake air flows as it passes through the first filter, and second filter of zeolites, however the airflow passes through a third charcoal filter before passing to the exhaust outlet. Also, Feisthammel et al (6833022) has a filing date of December 1, 2003, which does not predate the effective filing date of the current application.

Claim 57 recites "conveying the twice filtered air the exhaust duct". Bernstein et al and Giles, Sr et al both have more than twice filtered air before passing the airflow to the exhaust duct. Feisthammel et al (6833022) teaches a first filter presents baffle plates extending into a path through which the intake air flows as it passes through the first filter, and second filter of zeolites, however the airflow passes through a third charcoal filter before passing to the exhaust outlet. Also, Feisthammel et al (6833022) has a filing date of December 1, 2003, which does not predate the effective filing date of the current application. Claim 58 depends on claim 57 and hence is also allowed.

Claim 59 recites "the second filter including a plurality of chambers through which the air flows". Bernstein et al and Giles Sr et al provide a single filtration chamber filled with a plurality of porous filtration members. Claim 60 depends on claim 59 and hence is also allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

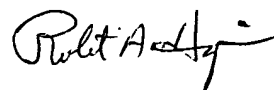
Art Unit: 1724

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert A. Hopkins whose telephone number is 571-272-1159. The examiner can normally be reached on Monday-Friday, 7am-4pm, alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Rah
July 19, 2005


ROBERT A. HOPKINS
PRIMARY EXAMINER
A.U. 1724